

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS W. HIRD,

Defendant.

4:19CR3038

ORDER

The parties have moved to continue the trial, (Filing No. 75), because due to safety and physical distancing concerns caused by the COVID-19 pandemic, this case cannot be tried as currently scheduled. After conferring with the parties, (Filing No. 74), the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 75), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf, Senior United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on October 26, 2020, or as soon thereafter as the case may be called, for a duration of six (6) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice and public safety served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and October 26, 2020, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 4th day of September, 2020.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge